

derived without substantive change from the fifth sentence of former Article 16, § 49 and revised to apply to all commitments under this section. There appeared to be no intent to authorize commitment by a district court judge without the consultation required of a circuit court judge.

The provisions of former Article 16, § 49 and CJ § 4-305 that related to chronic alcoholics now appear in § 8-510 of this article.

Defined terms: "Department" § 1-101  
"Drug addiction" § 9-101 "Secretary" § 1-101

#### SUBTITLE 8. MISCELLANEOUS PROVISIONS.

##### 9-801. LIABILITY OF PUBLIC OFFICERS.

ANY PERSON WHO IS CHARGED WITH PERFORMING OR WHO PERFORMS ANY ACT OR DUTY UNDER THIS TITLE HAS THE SAME IMMUNITY FROM LIABILITY AS A PUBLIC OFFICIAL.

REVISOR'S NOTE: This section is new language derived without substantive change from former Article 43B, § 20.

The former enumeration "any member or employee of the Authority ... State's attorney" is deleted as unnecessary in light of the use of the defined term "person".

Defined term: "Person" § 1-101

##### 9-802. PRIVILEGED INFORMATION.

###### (A) STATEMENTS OF ABUSER; OBSERVATIONS AND CONCLUSIONS OF COUNSELOR.

IF AN INDIVIDUAL SEEKS COUNSELING, TREATMENT, OR THERAPY, FOR ANY FORM OF DRUG ABUSE, FROM A PHYSICIAN, PSYCHOLOGIST, OR HOSPITAL, OR A PERSON WHO IS CERTIFIED BY THE ADMINISTRATION FOR COUNSELING OR TREATING DRUG ABUSE, THE ORAL OR WRITTEN STATEMENTS THAT THE INDIVIDUAL MAKES AND THE OBSERVATIONS AND CONCLUSIONS THAT THE PHYSICIAN, PSYCHOLOGIST, HOSPITAL, OR OTHER PERSON DERIVES ARE NOT ADMISSIBLE AGAINST THE INDIVIDUAL IN ANY PROCEEDING.

###### (B) RESULTS OF EXAMINATION.

THE RESULTS OF AN EXAMINATION TO DETERMINE THE EXISTENCE OF AN ILLEGAL OR PROHIBITED DRUG IN THE BODY OF AN INDIVIDUAL ARE NOT ADMISSIBLE IN ANY PROCEEDING AGAINST THE INDIVIDUAL, OTHER THAN:

- (1) A PROCEEDING THAT RELATES TO PAROLE OR